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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES FIDELITY AND
GUARANTY COMPANY, et al.,

Plaintiffs,

v.

THE SCOTT COMPANIES, INC., et al.,

Defendants.

Case No. CV-03-5376- SBA
CV-06-5590-EMC

**STIPULATION TO CONTINUE THE MAY
4, 2011 CONTINUED HEARING ON
PLAINTIFFS' MOTION FOR ORDER TO
SELL SECURITIES TO PARTIALLY
SATISFY PLAINTIFFS' JUDGMENT
AGAINST JOSEPH GUGLIELMO;
[PROPOSED] ORDER THEREON**

Date: May 4, 2011
Time: 3:00 p.m.
Judge: Magistrate Edward M. Chen
Courtroom: C-15th Floor

Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance Company (collectively, "St. Paul") and Judgment Debtor Joseph Guglielmo ("Guglielmo"), through their respective counsel, hereby stipulate and agree as follows:

WHEREAS:

A. St. Paul's Motion for Order to Sell Securities to Partially Satisfy Plaintiffs' Judgment Against Joseph Guglielmo ("Motion") was heard by this Court on January 4, 2011 at or about 10:30 a.m.

1 B. In its January 11, 2011 Order on the Motion ("Schwab Account Order"), the Court
 2 ordered that information regarding a certain account maintained by Guglielmo at Charles Schwab
 3 & Co., Inc. be exchanged with St. Paul. Further, the Court ordered that the parties submit further
 4 briefing regarding Guglielmo's need for the funds on February 16, 2011, and set a further hearing
 5 regarding Plaintiffs' Motion on February 23, 2011.

6 C. On January 14, 2011, St. Paul sent Guglielmo a letter demanding that Guglielmo
 7 provide certain documents and information pertaining to his financial condition by January 28,
 8 2011 in accordance with the Schwab Account Order ("St. Paul Letter Demand").

9 D. Thereafter, St. Paul and Guglielmo began discussing the possible resolution of
 10 their dispute. To allow for their discussion to progress, St. Paul agreed to continue the briefing
 11 regarding Guglielmo's need for the funds to March 9, 2011 and the hearing on St. Paul's Motion
 12 to March 23, 2011. The Court agreed to the continued dates (Case No. CV-06-5590-EMC,
 13 Docket No. 97 and Case No. CV-03-5376-SBA, Docket No. 410).

14 E. On or about March 10, 2011, the Court agreed to continue the briefing and the
 15 March 23, 2011 hearing on St. Paul's Motion to allow for a possible resolution of St. Paul and
 16 Guglielmo's dispute (Case No. CV-06-5590-EMC, Docket No. 99 and Case No. CV-03-5376-
 17 SBA, Docket No. 413).

18 F. St. Paul and Guglielmo have reached a settlement in principle of the entire dispute
 19 between them, and need additional time to prepare the required documentation. The settlement
 20 will obviate the need for the information sought in the St. Paul Letter Demand, the additional
 21 submissions to this Court and the continued hearing on the Motion.

22 **WHEREFORE,**

23 To allow St. Paul and Guglielmo to complete their discussions without potentially
 24 unnecessarily incurring additional expenses and to avoid the potentially unnecessarily
 25 expenditure of the resources of this Court, St. Paul and Guglielmo agree to continue:

- 26 1. The hearing on St. Paul's Motion from May 4, 2011 by fifty-five (55) days
 27 (to June 29, 2011), as the Court's calendar may permit;

1 2. St. Paul's and Guglielmo's submission of additional briefing in accordance
2 with the Court's Schwab Account Order from April 20, 2011 to two (2) weeks before the
3 continued hearing date on the Motion (to June 15, 2011); and

4 3. The deadline for Guglielmo to provide to St. Paul the documentation and
5 information demanded by St. Paul in its St. Paul Letter Demand to thirty-two (32) days
6 before the hearing (approximately May 31, 2011).

7 IT IS SO STIPULATED.

8
9 Dated: April 20, 2011

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

10
11 By:  _____

12 Michael G. Long
13 David R. Johnson
14 Counsel for Plaintiffs

15
16 Dated: April 20, 2011

LAW OFFICES OF JAMES M. SULLIVAN, INC.

17
18 By:  _____

19 James Sullivan
20 Counsel for Joseph Guglielmo

ORDER

After considering the Stipulation of the parties, and good cause existing therefore, IT IS
HEREBY ORDERED THAT:

1. The hearing on St. Paul's Motion is continued from May 4, 2011 at 3:00
p.m. to June 29, 2011 at 10:30 a.m./~~p.m.~~;

2. The deadline for St. Paul and Guglielmo to submit additional briefing in
accordance with the Court's January 11, 2011 Schwab Account Order is continued from
April 20, 2011 to June 15, 2011.

3. The deadline for Guglielmo to provide to St. Paul the documentation and
information demanded by St. Paul in its St. Paul Letter Demand is
May 31, 2011.

IT IS SO ORDERED

Dated: April 25, 2011

